

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

v.

**No. CV 12-0927 JEC/LAM
CR 03-0231 JEC**

**FITZ ERROL HENRY, a/k/a
JACOB BRUNNER, a/k/a
DAVID A. MARTIN,**

Defendant/Movant.

**ORDER DENYING MOTION FOR EXTENSION OF TIME TO FILE
OBJECTIONS**

THIS MATTER is before the Court on Defendant/Movant's letter to the clerk of the Court dated March 18, 2013, stating that the information attached to the letter should have been sent to this Court, and that Defendant/Movant would "like time to properly address the issues of [his] appeal." [*Doc. 13* at 1]. Attached to the letter are copies of an envelope from the Tenth Circuit Court of Appeals to Defendant/Movant, and documents filed in Defendant/Movant's Louisiana state case. *Id.* at 2-4. The letter was docketed by the clerk of the Court as a "Motion for Extension of Time to File." The *Proposed Findings and Recommended Disposition* (*Doc. 12*) (hereinafter "PF&RD") was entered in this case on February 7, 2013, and objections to the PF&RD were due February 25, 2013. A staff note entered on the Court's docket states that on March 5, 2013, Defendant/Movant called the clerk's office and stated that he sent his "response" to the PF&RD to Denver, and that he would be mailing the response that day. It is unclear whether Defendant/Movant intends the letter and attachments filed as Document 13 to be a motion for extension of time to file objections or to be objections to the PF&RD. To the extent

Defendant/Movant is asking the Court for an extension of time to file objections to the PF&RD, the Court finds that the request should be denied because Defendant/Movant fails to state why he needs an extension of time to file objections or why he failed to meet the deadline in the first place. If the documents submitted as Document 13 are intended to constitute Defendant/Movant's "objections" to the PF&RD, they are inadequate to determine any objections. They are also insufficient to establish cause for a further extension of time to file objections.

IT IS THEREFORE ORDERED that Document 13 is **DENIED** to the extent it is a request for an extension of time to file objections to the PF&RD.

IT IS SO ORDERED.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE